IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE FOURTEENTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION NO : 20559 of 2003

Between:

Smt. Khatija Begum, W/o. late Abdul Khader
R/o Balajinagar, Jawaharnagar G.P. Shameerpet Mandal,

Ranga Reddy District

..... PETITIONER

AND

1 The District Collector, Ranga Reddy District,

Lakdikapool, Hyderabad
2 The Revenue Divisional Officer, East Division,

Ranga Reddy District, Goshamahal, Hyderabad
3 The Mandal Revenue Officer, Shameerpet Mandal,

Ranga Reddy District

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ or order or direction, one in the nature of writ of mandamus; i) declaring the action of the respondents in delaying the process for disposing my representation dt. 30-8-2001 submitted for allotment of land in Sy.No. 189 & 190 to an extent of 10 acres situated at Jawaharnagar village, Shameerpet Mandal, Ranga Reddy District on payment of market value, which is in possession of the petitioner for last more than 40 years, without prejudice to possessory title, as arbitrary, illegal, unreasonable, violative of Art. 14, 21 and 300-A of Constitution of India ii) a direction may be issued to the respondents to consider the representation of the petitioner dt. 30-8-2001, submited for allotment of land on payment of market value, in Sy.No. 189 & 190 to an extent of 10 acres situated at Jawaharnagar village, Shameerpet Mandal, Ranga Reddy District iii) Costs be awarded.

Counsel for the Petitioner : MR.B.MAHENDER REDDY

Counsel for Respondents : GP FOR ASSIGNMENT

The Court made the following :

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ORDER :

The petitioner is the wife of late Adul Khader. She alleges that her husband was an Ex-serviceman, and therefore, Jawaharnagar Land Colonisation Society allotted Acs.10-00 of land in Survey No.189 and 190 of Jawaharnagar Village, Shameerpet Mandal, Ranga Reddy District. It is her further case that she has been in possession of the land and made repeated requests to the respondents to regularize the allotment by duly issuing proceedings, in vain, she filed a representation on 30-8-2001 requesting the District Collector to issue patta certificate. Alleging that first respondent did not give any consideration to the same, the present writ petition is filed.

In the counter affidavit filed by the Mandal Revenue Officer, Shameerpet, all the allegations made by the petitioner regarding her right and possession are denied. It is also stated that as per the report of the Mandal Revenue Officer, the land is covered by boulders and no one is in possession of the land. It is also stated that the land has already been handed over to the Hyderabad Urban Development Authority (HUDA) on 30-12-2002. In the lengthy counter affidavit filed by the Mandal Revenue Officer, however, there is no denial that the representation has not been considered.

Therefore, without expressing any opinion on the merits of the case, the matter is remitted to first respondent to consider the representation of the petitioner and pass appropriate orders, duly communicating the orders to the petitioner. This exercise may be completed within a period of two weeks from the date of receipt of a copy of this order.

The writ petition is accordingly disposed of. No costs.

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(V.V.S. RAO, J.)

14-10-2004.

Msr.

To

1 The District Collector, Ranga Reddy District,

Lakdikapool, Hyderabad
2 The Revenue Divisional Officer, East Division,

Ranga Reddy District, Goshamahal, Hyderabad
3 The Mandal Revenue Officer, Shameerpet Mandal,

Ranga Reddy District

4. 2CCs to G.P. for Assignment, High Court Buildings, Hyd.

5. 2CD copies

HON'BLE SRI JUSTICE V.V.S. RAO

WRIT PETITION No.20559 of 2003

14-10-2004.

(Msr)